

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EZEKIEL SMITH,

Plaintiff,

v.

12-cv-699 WJ/GBW

MELISSA ORTIZ, CODY DUNNING,
FNU DEMING,

Defendants.

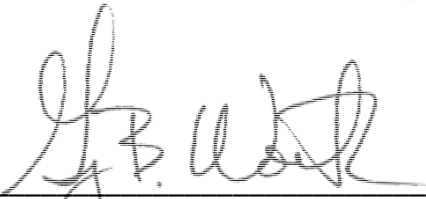
ORDER TO SHOW CAUSE

This matter is before the Court on a review of the record. On May 10, 2013, this Court ordered Defendants to produce a *Martinez* report, or in the alternative, file a motion for summary judgment, with 45 days of the receipt of the order. *Doc. 41*. Defendants were thus required to respond to the order by August 12, 2013. As of the date of the filing of this order, no response has been received.

The Court has the inherent power to sanction parties for litigation activities undertaken in bad faith in order to “maintain[] the authority and dignity of the court.” *Roadway Exp., Inc. v. Piper*, 447 U.S. 752, 764 (1980)(citation and quotation omitted). Further, the Court may assess sanctions under its inherent power where an attorney willfully disobeys a court order. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 45 (1991).

In light of the forgoing, **IT IS HEREBY ORDERED** that Plaintiff shall show cause in writing not later than **7 days** from the receipt of this order why the Court should not assess sanctions against Defendants or Defendants' counsel.

IT IS SO ORDERED.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE